

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

The Bridges Owners Association, Inc.

v.

Case No. 05-mc-002-JM

Michael Taylor and
CDN, Inc.

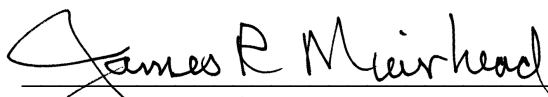
O R D E R

Defendants each failed to comply with subpoena *duces tecum* served on May 2, 2005, requiring them to appear on May 27, 2005. On August 17, 2005 both defendants were ordered to show cause why they failed to comply with the subpoena and why they should not be held in contempt. Defendants failed and refused to comply with the order. Plaintiff now seeks an order finding defendants in contempt of court. Mr. Taylor's response that he has turned this over to his insurance company and that he "am not to go to any court without my insurance company by my side" is inadequate as an objection. I find that both parties willfully disregarded the subpoenas and the order of the court. I find them in contempt of court.

18 U.S.C. § 401 empowers the court to punish disobedience or resistance to the court's order by fine or imprisonment. The court will hold a hearing on the order of contempt on October 17,

2005 at 11:00 a.m. Michael Taylor and all officers of CDN, Inc. shall appear for the hearing.¹ Since the hearing may result in a period of incarceration, defendant Taylor is entitled to appear with counsel and if he qualifies he may file for appointed counsel.

SO ORDERED.

A handwritten signature in black ink, reading "James R. Muirhead", written over a horizontal line.

James R. Muirhead
United States Magistrate Judge

Date: September 27, 2005

cc: Timothy A. Gudas, Esq.
Michael Taylor, *pro se*

¹Failure to appear will result in the issuance of bench warrants for their arrest.